App. F. IX-4

Previous References. 1943-44 War)

File No. 22-43

Serial Nos. 24.

Later References.

26

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One only

Part B for March 1944.

SUBJECT

Amendments to the Defence of India Rules.
(Inserting Rule 80 B after Rule 80 A.)

M.S.Krishnan
10.3.44.

1928/W

Amendments to Defence (Atlantic Rels) New Rule 80B - Control of Agriculture.

Continuation Sheet. W File No. / Current No. 22. of 43-44. Page.

FFICE
4915

RS 10/2

OFFICE OF THE MINISTER FOR REVENUE & LAW
10 FEB. 1944
No. 4735.

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 14.2.44.
No. 5302

OFFICE OF THE MINISTER FOR L. S. G. & P. H.
Date 26.2.44
No. 5811

OFFICE OF THE MINISTER FOR EDUCATION
Date 4/2/44.
No. 5866

[illegible] £
A copy draft for Atlantic Rules in New Rule 80B is placed below. Asked for orders whether a similar amendment may be made to our rules or the Dom Agric Controller in the first instance of such an amendment is necessary.

The amendment may be adopted as it is only an enabling provision. The question of making an order under it may be considered in consultation with the Dept concerned & the Director of Agriculture when the need for such arises

L
10/2

Min Rev & Law
Min L.S.G.
&
Defence

22.2.44

RLL
25/2/44

Min Educ

2.3.44

RS 6/3

RS 6/3

Dealt with a draft Note from Colonial Secretariat

1928
W

Amendments to the Defence of India Rules
New Rule - 80B - Agriculture.

Continuation Sheet. File No. / Current No. W 2 [illegible] of 43-44. Page.

27.	Issued No. W 2130 d 8.3.44 to compiler,
	" Memo No. W 2131-34 to R.C., Dr. of A
B	Dr. of C.S., Dr. of Industries.

1928
W

W2130 W22-43-27.

New Delhi, the 15th January 1944.

No. 1568-OR/42 - In exercise of the powers conferred by section 2 of the Defence of India Act, 1939(XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

After rule 80A of the said Rules, the following rule shall be inserted, namely:-

"80B. Control of Agriculture - (1) The Central Government or the Provincial Government, so far as it appears to it to be necessary or expedient for regulating or increasing the supply of articles which can be used in connection with the conduct of war or for maintaining supplies and services essential to the life of the community may by order provide -

(a) for prohibiting, restricting, or otherwise controlling the cultivation of specified crops;

(b) for bringing under cultivation any waste or arable land whether appurtenant to a building or not, and for the growing therein of specified crops;

(c) for any incidental and supplementary matters for which the Central Government or the Provincial Government thinks it expedient for the purposes of the order to provide including in particular the entering and inspection of land or premises to which the order relates with a view to securing compliance with the order; the seizure of any crops or other produce of land cultivated or grown in contravention of the order, and the grant or issue of permits and other documents for the purposes of the order; and an order under this rule may be made so as to apply either to persons or lands generally, or to any particular person or land or class of persons or lands, and so as to have effect either generally or in any particular area;

Provided that no order shall be made by a Provincial Government under clause (a) except with the previous approval of the Central Government.

(2) If in the opinion of the Provincial Government the person in possession or effective control of any land to which an order made under clause (b) of sub-rule (1) applies has failed to comply with the order, that Government may, without prejud

to any other action that may be taken against that person (hereinafter referred to as the defaulter) in respect of the contravention, by order direct that the land shall be placed in the exclusive possession of such person and for such period as may be specified in the order, and during the period of continuance of the last mentioned order the person specified therein shall have all the rights of the defaulters to manage the lands and realise the profits ~~arising therefrom~~ and shall only be liable to pay on behalf of the defaulter the Government revenue, all other charges of a public nature and the rent, if any accruing due in respect of the land during that period.

(3) If any person contravenes any order made under this rule otherwise than under clause (b) of sub-rule (1) he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both, and in addition any Court trying such contravention may direct that any crop or other produce of land cultivated or grown in contravention of the order shall be forfeited to ~~His Majesty~~ the Govt".

~~L.J.D. Wakely, Dy.Secy.~~

B. O

for Chief Secretary to Govt

The Compiler may for publication
as for issuing 100 Copies to this office
25 to K 150 and 20 to each of the DCs.
Memo No. W2131-34.
Dir of Agri
Dir of Industries

New Delhi, the 15th January 1944.

No. 1568-OR/42 - In exercise of the powers conferred by section 2 of the Defence of India Act, 1939(XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:-

After rule 80A of the said Rules, the following rule shall be inserted, namely:-

"80B. Control of Agriculture - (1) The Central Government or the Provincial Government, so far as it appears to it to be necessary or expedient for regulating or increasing the supply of articles which can be used in connection with the conduct of war or for maintaining supplies and services essential to the life of the community may by order provide -

(a) for prohibiting, restricting, or otherwise controlling the cultivation of specified crops;

(b) for bringing under cultivation any waste or arable land whether appurtenant to a building or not, and for the growing therein of specified crops;

(c) for any incidental and supplementary matters for which the Central Government or the Provincial Government thinks it expedient for the purposes of the order to provide including in particular the entering and inspection of land or premises to which the order relates with a view to securing compliance with the order; the seizure of any crops or other produce of land cultivated or grown in contravention of the order, and the grant or issue of permits and other documents for the purposes of the order; and an order under this rule may be made so as to apply either to persons or lands generally, or to any particular person or land or class of persons or lands, and so as to have effect either generally or in any particular area;

Provided that no order shall be made by a Provincial Government under clause (a) except with the previous approval of the Central Government.

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to any other action that may be taken against that person (hereinafter referred to as the defaulter) in respect of the contravention, by order direct that the land shall be placed in the exclusive possession of such person and for such period as may be specified in the order, and during the period of continuance of the last mentioned order the person specified therein shall have all the rights of the defaulters to manage the lands and realise the profits arising therefrom and shall only be liable to pay on behalf of the defaulter the Governme revenue, all other charges of a public nature and the rent, if any accruing due in respect of the land during that perio

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L.J.D. Wakely, Dy.Secy.